

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Larry Kapp,
Petitioner

v.

Case No. 1:02-cr-23-1
(1:05-cv-548)

United States of America,
Respondent

ORDER

This matter is before the Court on Petitioner's Motion to Vacate, Correct, or Set Aside Sentence pursuant to 28 U.S.C. § 2255 (Doc. 108).

It is **ORDERED** that the Clerk serve a copy of this Order upon the United States Attorney, such service to constitute notice to answer or otherwise plead to the complaint pursuant to Rule 4(b) and 5 of the Rules Governing Section 2255, within twenty (20) days of the date of this Order.

Date: August 22, 2005

s/Sandra S. Beckwith
Sandra S. Beckwith, Chief Judge
United States District Court